

**COLUMBUS BOARD OF ZONING APPEALS  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

The Columbus Board of Zoning Appeals met at 6:30 p.m., June 24, 2003 in the Council Chambers, second floor of City Hall, 123 Washington Street, Columbus, Indiana for its monthly meeting.

Members Present: Pat Zeigler, Chairperson; Karen Dugan; Mary Ferdon; Gary Nienaber; and Fred Stadler

Staff Present: Roger Hunt; Planning Director; Dave Zellner, Code Enforcement Officer; Alan Whitted, Deputy City Attorney; Thom Weintraut; Marcus Hurley and Judith Walters

Ms. Zeigler opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Mr. Whitted administered the oath to all people who will offer information for the cases tonight.

**DOCKET NO. C/DS-03-08 – MORRIS & GARY GROWE**

A request to give relief of setback and buffering requirements. The property is located north of Mapleton Street and Wolf Street.

Mark Daugherty, designer, and Gary Growe gave their names for the record.

Mr. Hurley read the staff report into record, noting the changes in building size; the ability to install the proper landscape buffer; and the reduction from 35' to 26' into a 40' transitional setback. He said a parking review would be required if the use changes.

Mr. Daugherty said the three lots will be combined and the buildings constructed as a unified center, one space for an automotive repair and one for warehousing. He said Mr. Wischmeier is working on a landscaping plan that will compliment the property and increase surrounding property values. The dumpster, vehicle maneuvering, fire wall, and neighboring properties were discussed.

There was no audience comment.

Ms. Zeigler said the project will be an improvement for the neighborhood.

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DISCUSSION: no parking or fencing along alley; one overhead door; auto repair shop; warehousing; possibility of three tenants, site plan.

Ms. Dugan moved to approve **C/DS-03-08**, inclusive of the provisional findings and conditions: provide a certified site plan for approval; meet all other developmental standards; and obtain permission from the Board of Works for any parking or landscaping in the public right-of-way.

Mr. Stadler seconded the motion. It passed with a 3-0 vote, Ms. Ferdon and Mr. Nienaber abstained from voting.

**DOCKET NO. C/DS-03-09 – GILBERT RICHARDS**

A request to construct a building that will encroach into the side and rear setbacks. The property is located at 421 S. Mapleton Street.

Gilbert Richards gave his name for the record.

Mr. Hurley read the staff report into record, and provided the ordinance requirements as it relates to the required setbacks for a business and residential properties.

The staff photographs were presented.

Mr. Richards said the property is next to the Carpenter's Union. The property will be cleaned up and a structure removed and replaced by an affordable building that will improve the area.

DISCUSSION: handicapped parking; fire code for setbacks; firewall requirements, structural issues; required parking; 4-6 employees; building will be a legal non-conforming; and ordinance setback requirements.

There was no public comment.

Ms. Ferdon moved to approve **C/DS-03-09**, inclusive of the provisional findings and the condition that a certified site plan be submitted for approval.

Ms. Dugan seconded the motion that passed with a 4-0 vote.

**DOCKET NO. C/DS-03-11 – ALAN MULLINS**

A request to construct a building that encroaches into the transitional

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setback. The property is located in Lowell Addition, Lot #116A.

Ted Darnell, surveyor, and Alan Mullins gave their names for the record.

Mr. Hurley read the staff report into record, noting an amendment to the findings. He said the criteria have not been met.

Mr. Weintraut presented the staff photographs.

DISCUSSION: B-4 zoning; reduce setbacks; buffering to south side of the lot; 3,200 sq. ft. building; grassy area; building for storage of electric equipment (tools and trucks); boat and camper storage; operate a business from the building; downsize building; if used for storage, why is there so much parking; landscaping; zero lot line; fire wall requirement; platted or legal alley; platted or legal street; possible replat of property, since Mr. Mullins owns the next property; public safety issue.

The public portion of the meeting was opened.

Terry Hilderbrand was opposed. He said the area has several rental properties and that Gion Lane had never been surveyed as a road.

The public portion was closed.

Mr. Weintraut said Gion Lane is a legal access.

Ms. Ferdon moved to deny **C/DS-03-11**, noting that Criterion #2 and #5 have not been met, and the project will encroach into a residential area. She made the provisional findings as a part of the motion.

Ms. Dugan seconded the motion. It passed with a 4-0 vote.

**DOCKET NO. C/DS-03-12 – BRANDON BUSH**

A request to allow the subdivision of a property into two residential lots without the 10-acre parent tract ag remainder. The property is located at 6410 E 25<sup>th</sup> Street.

Ted Darnell, surveyor, and Gary Bush gave their names for the record.

Mr. Hurley read the staff report noting that the property is 8.5 acres and does not have public water and sewer. There is flood area on the property. The criteria have been met and the staff recommends approval.

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Mr. Darnell said the lot will be less than three acres and will be better served for a residence. He said the county engineer was in favor of the shared access.

Mr. Bush said the house is for his son, and the property will remain in the family.

There was no public comment.

Ms. Ferdon moved to approve **C/CU-03-12** with the provisional findings and conditions as a part of the motion. The conditions include the single driveway access approval and if annexed, mandatory hookup to city utilities.

Mr. Nienaber seconded the motion that passed unanimously.

The findings for **C/CU-03-03, LIBERTY ADVANCE MACHINE, INC.** were approved as moved by Ms. Ferdon, seconded by Mr. Nienaber and approved with 4-0 vote.

Dave Fisher announced he is now a member of the Columbus Plan Commission and must resign as a member of the Board of Zoning Appeals. He said he looks forward to serving.

Mr. Hunt asked to discuss temporary real estate signs placed in the right-of-way that appear on the weekend and aren't legal under the ordinance.

DISCUSSION: safety issues; liability; modify sign ordinance; regulations; wrongful death or injury; visibility triangle; number of signs; number of commercial agencies that want or do place signs in various places throughout the county; content of sign; temporary directional signs; comparison to what other communities allow; etc.

Robert Smitherman, builder/developer, is asking for the signs. He said maybe they could be regulated like a building permit. He asked for consideration and possible regulations to allow them.

Ms. Zeigler said she isn't sure this is the right body to consider these signs.

Mr. Hunt said the Board of Works should be asked for their input, and the possibility of appointing a committee to review the signs.

Ms. Dugan said this issue will be abused and must have regulations.

Mr. Zellner said the signs are hard to regulate, especially since they are placed around the community on the weekends.

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The May 25, 2003 minutes were approved.

The meeting was adjourned at 8:15 p.m.

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Patricia Zeigler, Chairperson

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Karen Dugan, Secretary

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